The court document for this date cannot be found in the records of the Ohio State Medical Board.

Please contact the Franklin County Court of Common Pleas to obtain a copy of this document. The Franklin County Court of Common Pleas can be reached at (614) 462-3621, or by mail at 369 S. High Street, Columbus, OH 43215.

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STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

July 22, 1977

V. James DeFranco, M.D.
5822 Glenway Ave.,
Cincinnati, OH. 45238

Dear Doctor DeFranco:

Please find enclosed a certified copy of the Findings and Order as they have been entered in the Journal of the Ohio State Medical Board; and a certified copy of the Motion approved by the State Medical Board, meeting in regular session on July 13, 1977, approving and confirming the Findings and Order.

You are hereby notified that you may appeal this order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as aforesaid, you must file a notice of appeal with the Board setting forth the order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the court. Such notices of appeal shall be filed within fifteen days after the date of mailing of this letter, and in accordance with the requirements of Section 119.12, Revised Code.

The State Medical Board of Ohio

By: Anthony Ruppersberg, Jr., M.D.
Secretary

CERTIFIED MAIL NO.580641
RETURN RECEIPT REQUESTED

STATE OF OHIO
THE STATE MEDICAL BOARD

July 22, 1977

CERTIFICATION

I hereby certify that the attached copy of the Findings and Order of the Ohio State Medical Board, in the matter of V. James DeFranco, M.D., is a true and complete copy of the Findings and Order as they appear in the Journal of the State Medical Board; and that the attached copy of the Motion approved by the State Medical Board, meeting in regular session on July 13, 1977, is a true and complete copy as it appears in the Journal of the State Medical Board.

This certification is made by authority of the Ohio State Medical Board and on its behalf.

Anthony Ruppersberg, Jr., M.D.
Secretary
The State Medical Board of Ohio

STATE OF OHIO
THE STATE MEDICAL BOARD

July 13, 1977

FINDINGS AND ORDER IN THE MATTER OF VINCENT JAMES DeFRANCO, M.D.:

The matter of the State Medical Board of Ohio vs. Vincent James DeFranco, M.D., came on for hearing before me, Evelyn L. Cover, D.O., a member of the State Medical Board, on May 4, 1977.

After consideration of the testimony and examination of evidence, I make the following Findings:

CHARGE 1: Guilty as charged, to wit:

Pat Gallagher, an individual not licensed by the Ohio State Medical Board, did medically examine, advise and diagnose one Cynthia Fox. Further, Pat Gallagher did administer an injection of penicillin to Cynthia Fox and did write three prescriptions for Cynthia Fox. The prescriptions were signed by Dr. DeFranco, but the testimony clearly shows that Dr. DeFranco never saw Cynthia Fox on the sixteenth day of December 1976. All of the events on that day took place in Dr. DeFranco's office.

CHARGE 2: Guilty as charged, to wit:

Pat Gallagher, an individual not licensed by the Ohio State Medical Board, did medically diagnose and advise one Cynthia Fox on December 17, 1976. Further, Pat Gallagher did administer an injection of penicillin to Cynthia Fox and also wrote a prescription for that individual. The prescription was signed by Dr. DeFranco, but the testimony clearly shows that Dr. DeFranco never saw Cynthia Fox. All of the events that took place occurred at Dr. DeFranco's office.

The evidence showed that the services that were rendered to Cynthia Fox were paid by Medicare. In addition, the evidence showed that Pat Gallagher was found guilty of practicing medicine without a license by the Hamilton County Municipal Court.

Moreover, it is my finding and the evidence establishes that such acts, individually and/or collectively, constitute "knowingly maintaining a professional connection or association with a person who is in violation of this chapter or rules of the board" as that clause is used in Section 4731.22(B)(8), Revised Code.

STATE OF OHIO
THE STATE MEDICAL BOARD

Further, such acts, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board" as that clause is used in Section 4731.22(B)(17), Revised Code.

Further, such acts, individually and/or collectively, constitute "a departure from or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances" as that clause is used in Section 4731.22(B)(6), Revised Code.

Further, such acts, individually and/or collectively, constitute a "failure to use reasonable care discrimination in the administration of drugs" as that clause is used in Section 4731.22(B)(2), Revised Code.

ORDER

In consideration of the Findings, I make the following Order:

That the license of Vincent James DeFranco, M.D., to practice medicine and surgery in the State of Ohio is hereby suspended for a period of six (6) months, beginning August 15, 1977.

Evelyn L. Cover D.O.

Evelyn L. Cover, D.O., Hearing Member
State Medical Board of Ohio

STATE OF OHIO
THE STATE MEDICAL BOARD

July 13, 1977

RE: Approval Of Findings And Order
In The Matter Of Vincent James DeFranco, M.D.

Dr. Cramblett made a motion that the Board approve and confirm the Findings and Order of Evelyn L. Cover, D.O., hearing member, in the matter of Vincent James DeFranco, M.D. Dr. Press seconded the motion.

ROLL CALL VOTE:	Dr. Lancione	- nay
	Dr. Cover	- aye
	Dr. Gandy	- abstain
	Dr. Rothermich	- aye
	Dr. Cramblett	- aye
	Mr. Paulo	- aye
	Dr. Ferritto	- abstain
	Dr. Ruppersberg	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

March 10, 1977

Vincent James DeFranco, M.D.
5822 Glenway Avenue
Cincinnati, OH 45238

Dear Doctor DeFranco:

In accordance with Chapter 119, Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine, under the provisions of Section 4731.22, Revised Code, whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine for one or more of the following reasons:

1. On or about December 16, 1976, one Pat Gallagher, an individual not licensed by the Ohio State Medical Board, did engage in the practice of medicine in your medical office, to wit: Pat Gallagher did medically examine, advise and diagnose one Cynthia Fox. Further, Pat Gallagher did administer an injection to Cynthia Fox and did dispense or cause to be dispensed certain drugs to Cynthia Fox.

2. On or about December 17, 1976, one Pat Gallagher, an individual not licensed by the Ohio State Medical Board, did engage in the practice of medicine in your medical office, to wit: Pat Gallagher did medically diagnose and advise one Cynthia Fox and did administer an injection to Cynthia Fox. Further, Pat Gallagher did dispense or cause to be dispensed certain drugs to Cynthia Fox.

Such acts, individually and/or collectively, constitute "knowingly maintaining a professional connection or association with a person who is in violation of this chapter or rules of the board" as that clause is used in Section 4731.22(B)(8), Revised Code.

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Further, such acts, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provisions of this chapter or any rule promulgated by the board" as that clause is used in Section 4731.22(B)(17), Revised Code.

Further, such acts, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances" as that clause is used in Section 4731.22(B)(6), Revised Code.

Further, such acts, individually and/or collectively, constitute a "failure to use reasonable care discrimination in the administration of drugs" as that clause is used in Section 4731.22(B)(2), Revised Code.

You are advised that you are entitled to a hearing on this matter if you request such hearing within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing made within thirty (30) days at the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine.

A copy of the Medical Practice Act is enclosed for your examination.

Very truly yours,

Sanford Press, M.D.
Acting Secretary

AR/cj-p
Enclosure
CERTIFIED MAIL #178224
RETURN RECEIPT REQUESTED